

The Role of the Self-Defence Units (SDUs) in a Changing Political Context

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Introduction

The aim of this paper is to analyse the future role of the self-defence units (SDUs). The paper is divided into four main sections beginning with an overview of the historical background of informal "community policing" structures.

In the second section of the paper the formation of SDUs is discussed. It is worth noting, in this section, that a code of conduct for these units was drawn in the various drafts, but could not be enforced. In the third section of the paper the future role of the SDUs is examined.

In the final section of this paper the process of disarming the general public, including both the self-defence and self-protection units, in an attempt to reduce the proliferation of licensed and unlicensed firearms is discussed.

History of Informal "Community Policing" (Defence) Structures in South Africa

Informal, non-statutory "community policing" structures such as the SDUs are characteristic of black South African society. The concept of community defence structures emanated due to inadequate policing in black townships. The police were, at the time, seen to be inefficient, and ineffective because most of the cases that were reported to the police were not followed up. Moreover, the communities did not have confidence in the criminal justice system, which took long to bring the perpetrators of violence and crime to justice and which was seen as being biased against blacks. The inability or failure of the police to protect black communities and of the criminal justice system to deal effectively and rapidly with the perpetrators of violence and crime resulted in township residents resorting to local structures to resolve their problems.

Some of these structures were prominent in the African townships, especially in the 1970s and the 1980s. "With no credible formal adjudicative (as well as policing) structures to use, Africans perforce resorted to their own informal structures, taking on various forms, and using a range of enforcement options, starting from "private" police forces in the form of Makgotla, peace-keepers or vigilantes".¹

The history of informal dispute settling structures and informal police forces goes back to the times of the establishment of the townships.² In the 1970s, the Lekgotla³ played a crucial role in instilling discipline among the youth as well as in maintaining order in the townships.⁴ However, the Lekgotla soon became unpopular, primarily because of the excessive use of force in dealing with the delinquent youth, criminal offenders, and other older members of the community who, it was alleged, had committed offenses. Furthermore, the Makgotla (plural) became controversial and discredited because they were used by certain elements, including the police, to further their own interests to the detriment of smooth governance of the township communities. Moreover, the Makgotlas were adult, male dominated institutions.

Similarly, in the 1980s, the people's courts executed vital state functions of ordering, adjudication and policing in the township by patrolling the township, and mediating in disputes among members of the community. These courts emerged as a result of the lack of legitimacy of the criminal justice system of the apartheid state.⁵

The people's courts had a particular hierarchical structure with the chairperson presiding in all meetings, including disciplinary committee meetings. At the beginning, punishment in the form of six strokes was used as the last resort. The parties involved in the dispute were brought before the court to ensure that both sides of the case were presented before a decision could be taken. Community service and/or compensation were the most common forms of punishment.

In most parts of the country, particularly the Eastern and Western Cape provinces, the youth took over the running (functioning) of the people's courts. The reasons for this take over are manifold and will not be covered in this paper. The people's courts became unpopular mainly due to the manner in which the youth handled sensitive cases which involved adult members of the community. The authority of these courts became suspect because the youth (amakhwenkwe) was not supposed to take any decisions regarding family matters until they became men (amadoda) through the traditional process of circumcision. The excessive use of force by the youth led to the downfall of these structures which were established to safeguard the communities because the police were seen to be untrustworthy as well as perpetrating violence against the communities, especially at the time of the State of Emergency, in 1985-6.

During the State of Emergency, many of the progressive youth groups were incapacitated. The youth lost their leaders who were either detained, operated underground or left the country to join the armed struggle orchestrated by the then exiled political formations like Umkhonto we Sizwe (MK), the military wing of the African National Congress (ANC) and Azanian People's Liberation Army of Azania (APLA), the military wing of the Pan Africanist Congress (PAC). The youth played a significant role in these structures as well as other structures outside the country. They were instrumental in the 1976, 1980, and 1984-5 school boycotts. The absence of peer leaders created space which was utilized by the gangs by either recruiting or appealing to the youth, the majority of whom eventually joined these gangs. Gangs appeared to be more organised, exciting and attractive than other youth groups.⁶

Like their predecessors, the SDUs were established to perform a crucial defence ("policing") function by protecting the township communities and ensuring that law and order (safety and security) prevail in these communities.⁷ Unlike their predecessors which were spontaneously created, poorly planned, lacking in discipline, and therefore unaccountable, the SDUs were to be an organised, disciplined para-military force which would be guided by political leadership and accountable to the communities they serve. Moreover, the SDUs were to have a special command and control system.⁸ While the Makgotla and the people's courts had a dual function (policing and adjudication), the SDUs have been "purely" defensive, in their character and operations.

The Formation of the SDUs⁹

The SDUs were formed in 1991 by the African National Congress (ANC) at the height of township violence between the ANC and IFP supporters. They were created at the time when the police were perceived as part and parcel of the problem as well as being reluctant to apprehend known vigilantes.¹⁰

A code of conduct for the SDUs

The need to make the SDUs accountable and transparent led to the drawing up of a code of conduct.¹¹ This was to become a yardstick by which the activities of SDUs were to be monitored. The code of conduct did not get the approval of the SDU members. This is yet another example of theorizing which could not be translated into practice. It is an abstract and rather ambitious document which fails to take into account the complex dynamics of township life. For example, the majority of the operatives in the SDUs are under the age of eighteen (18) and thus should not, according to the code of conduct, carry firearms.

Any attempt to make the SDUs accountable to the community is likely to be met with problems because the community is often spoken of as if it is a homogeneous entity which pays its allegiance to one political organization. Accountability to the community also implies joint or multi-party control of the SDUs by various political and/or community organisations. However, the ANC assumes control over the activities of these units, including their firearms. Therefore, the notion that weapons in possessions of SDUs are the property of the community is unproblematic. Moreover, tensions in most townships had been due to conflict over territory by various political organisations.

The community's perceptions of the SDUs

The majority of the township residents described the role of the SDUs as vital, especially at the height of unrest in the trouble-torn townships, for example on the East Rand. However, some expressed concern when some of the youth started harassing ordinary citizens in the name of the SDUs. They were also concerned that some of the SDUs' guns could easily land in the wrong hands and thus be used for criminal purposes.¹²

Controversy around SDUs

The rivalry between two factions of SDUs (that is, SDU A and SDU B) resulted in the execution of twelve (12) youths at a house in Thokoza, on the East Rand in May 1994. Apparently, these youths were disarmed by a group of SDU members who later used the same weapons to kill them. Internal strife between the SDUs is a major concern for the community which live in fear. According to Louis Mazibuko (chairperson of the Thokoza Civic Association), the rebel group (of SDU) was largely responsible for anarchy and criminal activities in the townships. He further stated that recognized SDU members are not involved in any criminal activities or any fights with the hostel residents. He also maintained that they were part of the peace initiative with the SPU.¹³

However, with the rate of unemployment so high, SDUs are fighting for weapons. Under these circumstances, some of the youth in the township feel the need to extract revenge on the society they believe has caused them so much hardship and pain. Very often this feeling of anger is directed at their own communities.

With limited socio-economic opportunities to break away from the cycle of poverty, feelings of not belonging, and of not being wanted (marginalization) grow. As a result of the difficulty in finding jobs, they feel like failures and their self-esteem decreases. They become frustrated, alienated, angry and eventually some of them drift into criminal activity.¹⁴ Gangs, like political organizations, provide a way of life for many youth because in the absence of employment opportunities, they serve as a social support system and personal security. As in gangs, joining a political organization provides one with a sense of acceptance, an identity, and a sense of security through bonds of loyalty to a group which vows to protect its members against external threat. The SDUs served this purpose as well.

Similar to gangs, political organizations offer a collective feeling of power and strength, and are territorial in character. Hence, notions like "an ANC stronghold or an IFP dominated hostel". As in a gang, members (or supporters) of a political organisation can safely move around in the areas that are "controlled" by their own political organisation. Therefore, transition from political to criminal activity can be steady. Thus, the distinction between political and criminal activity, including violence has become blurred.¹⁵

The SDU members, like former Umkhonto we Sizwe members, will experience difficulties in finding employment because they have been stigmatized by some members of the society as killers and criminals who cannot be trusted.¹⁶ The liberators of yesterday have become today's rejects or social outcasts.

As in the mid-1980s during the State of Emergency, the young SDU members lost their leaders because many of the Umkhonto we Sizwe (MK) and Azanian People's Liberation Army of Azania (APLA) members who were in the command structures of the SDUs joined the South African National Defence Force (SANDF) after the election. However, this process started before the elections when MK members joined the National Peace-keeping Force (NPKF). Again, the absence of peer leaders created a vacuum which was utilized by the gangs by recruiting and/or appealing to the SDUs, some of whom joined these gangs. In times of intense struggle, of rapid socio-political transformation and heightened conflict, "fledgling structures are always extremely vulnerable to being diverted from their intended path, since the ideas that underpin them have not yet proven themselves in practice".¹⁷ Therefore, an

accountable mechanism need to be devised in order to avoid populist excesses diverting them from their projected path.¹⁸

SDUs in the Post-election Period: A new role?

Reconciliation and reconstruction

The level of political violence has decreased noticeably after the election except in the East Rand and parts of Kwa-Zulu/Natal. However, peace or at least the long-term guarantees thereof, is not only the curbing of violence or the absence of war, it is the availability and provision of food, health facilities, education, water, housing, electricity, transportation, security, and the promotion and adherence of fundamental human rights. These strengthen democracy particularly at the grassroots level. The April elections did not bring complete peace nor end conflicts.

If the levels and manifestations of conflict and violence remain unmanaged and unresolved, the impact on and consequences for the Reconstruction and Development Programme (RDP) could be far-reaching and adverse. For the RDP to effect change in the quality of life of the majority of the people in South Africa, including SDU and SPU members, the levels of conflict and violence have to be managed, and eventually resolved.¹⁹ However, past experience in East Rand, Alexandra and Crossroads has shown that development programmes may introduce and lead to conflict and violence.

To bring development into a community will inevitably create a situation where there are those who are having their needs met and those who are not.²⁰ The process of building capacity within the township is critical in that the community itself prioritises development targets which it understands and is prepared to manage any conflict which may arise. Without the necessary skills, techniques or systems to manage and resolve development-related conflicts, communities may never become the recipients of well-intended development programmes.²¹

In regard to reconciliation, the April 1994 elections has had great impact on the healing and reconciliation of the historically strained relations in South Africa. Despite efforts to "unite and reconcile South Africans around common values of trust, equality, dignity, respect, tolerance, participation, transparency and honesty, distrust, secrecy, suspicion and intolerance are still deeply embedded in the daily lives and relationships of South African society. Thus, without a common value base, it is likely that the communities will continue to be unreconciled".²²

In a reconciliatory mode, the Gauteng premier, Tokyo Sexwale visited the hostels in Thokoza, on the East Rand, to make peace between hostel and township residents.²³ Follow-up meetings were held between the ANC (including leaders of SDUs) and the IFP (including members of hostels SPUs) to discuss problems related to "no go" zones, upgrading of hostels, reconstruction of houses, policing, crime and other related issues. A cease fire agreement has been reached between members of the SDU and SPU. These groups have undertaken to conduct joint patrol in an attempt to isolate criminals who purport to be members of these armed formations. The Gauteng legislature together with other non-governmental organizations (NGOs) has undertaken to reconcile warring factions; to return displaced people to deserted

houses around hostels, to negotiate with illegal occupants, and find them alternative accommodation; to rebuild damaged houses and establish visible and effective security presence. A project has also been introduced in Thokoza by members of the SDUs. It is envisaged that the project will provide the following: a counselling service to prepare youths for rehabilitation, for a return to civilian life, and for jobs when peace returns to Thokoza. The counselling service is in dire need because many of the SDUs may be suffering from Post Traumatic Stress Disorder (PTSD) following continuous stress due to on-going conflict in the East Rand.

The symptoms of PTSD include severe guilt and self-punishment, severe and indiscriminate rage and violent impulses, alienation from feelings, and pessimism about life. It is also likely that PTSD may manifest itself in outbreaks of political and criminal violence, including domestic violence.²⁴ Substance abuse may be one way of escaping from reality and may result in individuals not only damaging and hurting themselves, but also those around them. Drug abuse, particularly mandrax, has become a major concern in the East Rand township, particularly among the SDU members. The education and skills training programme will certainly go a long way in assisting those members of the SDUs who may wish to return to mainstream schooling as well as those who need certain skills in order to get jobs. The provision of recreational facilities will help to keep the youth off the streets and thus assist in the "healing" process. It is common knowledge that life in the township is sterile due to, inter alia, lack of recreational facilities.

The stance of the political leadership

The ANC's call to the SDUs to cease their operations was supported by various civil, business and political organisations. The South African Nation Civic Organization (SANCO), in support of the ANC's call, maintain that circumstances and conditions have changed, and therefore communities should influence the government to formulate laws which will make it possible for those who deservedly need weapon licensing to obtain such without the red tape which existed previously.²⁵ The IFP's Youth Brigade also welcomed the phasing out of SDUs because of the establishment of a democratically elected government and that the South African Police Services (SAPS) is there to protect every citizen in the country.

SANCO further maintain that although self-protection is an inalienable right of any person, this has to be done within the ambit of the existing laws of the country. Moreover, the installation of a democratically elected government requires that weapons of SDUs, SPUs and other private armies be handed over to the new government for peace-and safe-keeping.

The future role of SDU members

The government of national unity (GNU) has introduced an amnesty programme aimed at encouraging the voluntary surrendering of weapons. The ANC's MK commander, Sipiwe Nyanda, supports this initiative. However, he posits that the views of the community regarding the necessity of the SDUs should be sought because some communities do not really need SDUs.

The Gauteng provincial legislature's much publicised proposal to transform members of the SDUs in the East Rand into members of the police service (SAPS), police

reservists and neighbourhood watch groups has received widespread support, including the business sector. A special programme for SDU members aged between 13 and 18 to catch up six months of schooling, is envisaged. Those aged between 18 and 25 will be encouraged to join police reservists or neighbourhood watch groups, some of the SDU members would join adult literacy programmes and be assisted with job seeking or entrance to tertiary institutions. Those aged over 25 were to join the police service. The current matric requirement for police members has to be adhered to, however.

Responses to the proposals for integration of SDUs

Some members of the police service reacted to the integration of SDUs into the police services by saying that the SDUs must be disarmed, disbanded, demilitarized, sent to school and helped to find jobs, but not in the police service, because the police is already infiltrated by criminals and their incorporation into the police service add to the problem.²⁶ They further posit that the police services is "trying to improve its image by streamlining and adopting a more professional demeanour".²⁷ Moreover, their integration would mean that criminals could become policemen and would politicize the police force (service). The SDUs should, therefore, be replaced with the neighbourhood watch schemes, but this should only happen once mutual trust and cooperation between the community and the police services has developed, probably through the community-police forums. The National Party expressed concern about incorporating SDU into SAPS saying that SDU members are hopelessly immature to take the responsibility for the job.²⁸

The neighbourhood watch programmes have been suggested as one avenue where the SDUs could be placed in the process of re-integrating them into the mainstream of society. Apparently, these schemes have been accepted as unproblematic. The basis of these programmes is that crime (and violence) can be reduced by making criminals (and perpetrators of violence) believe that the risk of being arrested is high in a particular area or neighbourhood. Neighbourhood watch activities which seem to be more popular in low-risk crime areas can be a highly effective method of crime prevention provided enough residents become involved and provided the programmes are properly organized and controlled. These programmes cannot be successful if only a limited number of residents participate in them. Moreover, they are less likely to work in areas characterised by frequent movement of residents. Residential areas with high crime risk are normally characterized by poor socio-economic conditions and high mobility, which make it difficult for the residents to organise and/or implement neighbourhood programmes to reduce the risk of crime in the area.²⁹ These programmes have not been successful in densely populated, high risk areas in other countries. Although circumstances in South Africa are different to those in other countries, this does not mean that South Africans cannot learn from the experiences of other countries. The sustainability of these schemes should be assessed before these schemes can be implemented.

In regard to re-integration into mainstream schooling, it is assumed that the SDU members who are under the age of eighteen will automatically opt for this option. The question which needs to be asked is: what will happen to those who choose, for whatever reasons, not to go back to school? This is the group that will find life in gangs more attractive than schooling, primarily because of the "authority and power" they enjoy as SDUs, and because of the stigma attached to being a former SDU member. The majority of SDU operatives are of school going age and do attend

school. The re-orientation programme fails to take into account the problems that exist in most African schools. In some schools, some of teachers used school time to further their studies. In others, there is a break down in discipline and some teachers have been, reportedly, drinking and smoking dagga with pupils. Some of the SDU members are not satisfied with the way in which many schools are run. Moreover, violence has adversely affected schooling in the East Rand for the past two to three years.³⁰ The situation at these schools must be addressed as a matter of urgency.

Members of the SDUs feel that they must be consulted before decisions are taken.³¹ Some are apprehensive of the ANC now that it is the new government.

The process of disarmament

South Africa, as a highly militarised and violent society, has over the years encouraged the continued use of force and brutality. The successive apartheid governments have used force to crush any opposition to the status quo. Growing up in such a society, the youth, as the most vulnerable sector of our society, learnt and began to use violence to resolve conflict and get what they want rather than to negotiate. The youth experienced severe brutality at the hands of the police and they internalized this way of resolving conflict.³² With such high levels of violence (that is, with one murder for every one hundred and sixty-four (164) people per day, Johannesburg has been dubbed the "Murder Capital" of the world).³³

A campaign to disarm the general public including SDUs is, at the time of writing, in its inception phase in Gauteng. This campaign seeks to reduce the number of guns in society by encouraging people to voluntarily hand in their guns. It is envisaged that reducing the number of guns would lead to a reduction in the levels of violence. It is also realized that the majority of the people will not hand in their guns without any incentives provided. Various ways of compensation are currently being discussed and these include, cash prizes, food vouchers, bursaries, apprenticeships and community awards. It is envisaged that community awards could be exchanged for weapons where communities are given recreational facilities.³⁴ It is important that such a campaign should attempt to include the people it intends to disarm. SDU members are particularly concerned about their safety should they hand in their weapons. Demobilisation packages for SDU and SPU members could also be considered as one of the options.

Recommendations and Limitations

A rigorous and elaborate study of the causes, operations, and conditions of the ANC-aligned SDUs, IFP-aligned SPU and PAC-aligned Task Force (TF) need to be undertaken. The history of the informal "community policing" structures is crucial to our understanding of the context in which they operate.

A code of conduct is imperative for the smooth functioning of these formations. However, such a code of conduct should be drawn in consultation with these groups in order to ensure that it is legitimate and enforceable. Political organisation or parties should not absolve their responsibility of providing direction to these structures when some members of these structures go astray.

Historically, the youth played a crucial role in the liberation struggle and should continue to play a major role in the reconstruction and development of their communities. The government, through its various structures and together with progressive non-governmental organizations (NGOs) could facilitate this process. However, piecemeal, uncoordinated solution to the problem of these structures are bound to failure.

A needs assessment of members of these structures is imperative and should be undertaken as a matter of urgency. For example, the SDU members in the Vaal Triangle feel that they have been left out of processes, including the integration process because of their geographical situation. It is counterproductive to address the needs of the SDU, SPU, and TK members on a territorial basis as has been the case in Thokoza, Vosloorus and Katlehong. SDU members in other area such as Tembisa, Sharpville, Bekkersdal, Port Shepstone and Western Cape will feel that they are being discriminated. A broad, consultative process should be embarked upon to avert any programme from being perceived as an imposition, this also refers to the disarmament process.

Conclusion

This paper has traced the history of informal, non-statutory "community policing" structures from the 1970s and 1980s where the Makhotla and the people's courts have, respectively, played a crucial role in adjudication and defence within the black communities. Although these structures emerged rather spontaneously, the SDUs emerged out of deliberate efforts on the part of political organizations, in the 1990s.

The SDUs experienced a wide range of problems, particularly when the majority of their leadership joined the statutory defence structures, namely NPKF and SANDF. Without proper leadership and accountability mechanisms in place some of the SDUs became controversial and this has resulted, inter alia, to the ANC seeking their immediate disbandment after the 27 April 1994 elections. This move has led to the Government of National Unity drawing up various proposals on the future role of the SDUs. Some of the proposals sparked heated debate, especially in the police service. The paper critiqued some of this proposals and also briefly commented on processes which seek to reduce the proliferation of firearms.

It should be noted that informal community defence structures are more likely to emerge in different places, socio-political contexts and/or periods depending largely on the character and function(s) of the state security (defence and policing) agencies and the criminal justice system.

Notes:

¹ Scharf and Ngcokoto, 1990, p.344.

² op cit; the establishment of the townships could be traced back to the 1930s and 1950s. However, some of these structures have been and/or still are the inherent characteristic of African life, even before the establishment of African townships.

³ Lekgotla is a tribunal, a traditional gathering of all men in a particular locality. The purpose of such a gathering is to resolve problems experienced by members of a particular locality.

⁴ Hunt and Kotu-Rammapo, 1983.

⁵ op cit; Scharf and Ngcokoto, 1990.

⁶ Scharf, 1990.

⁷ Cronin, 1991.

⁸ op cit.

⁹ Several other non-statutory structures were formed in the 1990s such as the self-protection units, anti-crime committees. Street and Block committees, which in the late 1980s were prominent as part of the people's court or which existed independently, are still prominent in some of the townships. These structures will however not be discussed in this paper.

¹⁰ Morobi in *New Nation*, 13 May 1994.

¹¹ For excerpts from the draft code of conduct see Appendix A.

¹² Morobi, *New Nation*, 13 May 1994.

¹³ Khumalo, *City Press*, 10 July 1994.

¹⁴ Scharf, 1990.

¹⁵ While some SDU members are truly concerned with "defending" their communities and have a sense of accountability and responsibility, others sometimes referred to as the comtsotsis are far more expedient in their operations. Perhaps for some youth being involved in political organisations and gangs are not seen to be contradictory.

¹⁶ Emmett et al, 1994.

¹⁷ Scharf and Ngcokoto, 1990, p. 363.

¹⁸ op cit.

¹⁹ SPUs refer to the self-protection units which were established by the Inkatha Freedom Party (hereafter IFP) in response to the ANC-aligned SDUs.

²⁰ Lusaka, 1994.

²¹ Particularly in areas which are very poor and there is a contestation over resources.

²² op cit.

²³ August, *Sowetan*, 6 June 1994.

²⁴ Cock cited in Emmett et al, 1994, p27.

²⁵ op cit.

²⁶ Brummer, 3 June 1994.

²⁷ Madlala, *Sunday Times*, 3 July 1994.

²⁸ *Citizen*, 19 July 1994.

²⁹ Naude, 1992.

³⁰ Sealy, IBI, 25 May 1994, p2.

³¹ Lekwane, 1994, p4.

³² Scharf, 1990.

³³ Cochrane, August 1994, p2.

³⁴ op cit, pp2&4.

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Appendix

A code of conduct for the SDUs

Preamble:

- The formation of an SDU is not to be a glorified way of life;
- An SDU is NOT a Private Army;
- No member of an SDU or SDU command structure should use the SDU to further his own personal or political ambitions;
- An SDU is to be the protector of the community and NOT a terroriser. An SDU must be loved by the community. Any weapons in possession of an SDU member must be used solely and only for the protection of that community.

Structure

The Central Command structure must ideally comprise of the following:

- at least two representatives from each of the sections in a township;
- there should be two representatives from MK on the Central Command;

Departments of the Command Executive:

- The intelligence commander – to collect and distribute intelligence or information which is important for the general protection/security of the community;
- The logistics commander – to control and coordinate all the material essential to the SDU;
- The communications commander – to be in charge of setting up networks of communication;
- The coordination commander – to be in charge of setting up meetings between different sections, and coordinating the meetings of the Central Command and Executive;
- The finance commander – to be in control of all funds collected; and
- The auditing commander – to be in charge of personnel of the SDUs. He should keep a record of men arrested, killed, or injured and of material lost or confiscated.

Weapons

- No weapons belonging to the SDU should be personalised. All weapons in the SDU are the property of the community;
- No members under the influence of alcohol or drugs should be in possession of a weapon of any kind. All weapons confiscated from thugs or drunks should be handed to the Commander Executive and make a report as to how it was confiscated;
- No weapon under the control of the SDU should ever be utilised to threaten any member of the community. Any SDU operative who threaten anybody should be disciplined;
- All weapons coming in or going out of the community should be controlled by the Central Command Executive. This is to prevent proliferation of weapons;
- Weapons in possession of SDU operative should, as far as possible, be kept out of sight;
- An operative armed with an illegal weapons should be escorted by two escorts at least;
- There should be no unnecessary firing;
- No person under the age of 18 shall be in possession of a firearm; and
- Only full members of the SDU shall be allowed access to firearms.

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